

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Doz. 1459

PO. Dox 1450 Alexandria, Vingriia 22313-1450 www.uspto.gov

FILING OR 371 (c) DATE

ART UNIT | FIL FEE REC'D

1645

ATTY.DOCKET NO

DRAWINGS TOT CLMS

s IND CLMS

10/773,618

02/06/2004

1244

282172002800

51

82

25226

MORRISON & FOERSTER LLP 755 PAGE MILL RD PALO ALTO, CA 94304-1018

APR 1 2 2004

RECEIVED

Morrison & Foerster, LLP Palo Alto CONFIRMATION NO. 8471

FILING RECEIPT

OC00000012324770

Date Mailed: 04/09/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Thomas W. Dubensky JR., Piedmont, CA; Dirk G. Brockstedt, Oakland, CA; Keith Bahjat, San Diego, CA; John E. Hearst, Berkeley, CA; David Cook, Lafayette, CA;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/446,051 02/06/2003 and claims benefit of 60/449,153 02/21/2003 and claims benefit of 60/490,089 07/24/2003 and claims benefit of 60/511,869 10/15/2003 and claims benefit of 60/511,515

Foreign Applications

If Required, Foreign Filing License Granted: 04/09/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

PC Master
COCKETED TZ 17

DOCKETED 12)

Title

Modified free-living microbes, vaccine compositions and methods of use thereof

Preliminary Class

424

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV332780915US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 9, 2004

Signature:

Docket No.: 282172002800

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Thomas W. DUBENSKY, Jr. et al.

Application No.: 10/773,618

Confirmation No.: 8471

Filed: February 6, 2004

Art Unit: 1645

For: MODIFIED FREE-LIVING MICROBES,

VACCINE COMPOSITIONS AND METHODS

OF USE THEREOF

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED FILING RECEIPT

MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the aboveidentified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has errors in:

In the Applicant(s): After Keith Bahjat, delete "San Diego, CA" and insert --Concord, CA-- in place thereof.

In the Domestic Priority data as claimed by Applicant: after 60/511,869 10/15/2003, insert -- and claims benefit of 60/541,515 02/02/2004 --.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: June 9, 2004

Respectfully submitted,

Alicia J. Hager

Registration No.: 44,140

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-4296